

## COUNTY OF FAIRFAX, VIRGINIA

### SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

EARLY STEPS BILINGUAL PRESCHOOL SPRINGFIELD INC. / SPRINGFIELD CHRISTIAN CHURCH, SPA 75-L-239-02. Appl. under Sect(s). 3-203 of the Zoning Ordinance previously approved for place of worship and child care center to permit a change in permittee. Located at 5407 Backlick Rd., Springfield, 22151, on approx. 3.49 ac. of land zoned R-2 and HC. Mason District. Tax Map 80-2 ((1)) 4. Mr. Hart moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of all applicable State and County Codes and with the by-laws of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on November 19, 2014; and

WHEREAS, the Board has made the following findings of fact:

1. The applicant is the owner of the property.
2. There is a favorable staff recommendation, and the Board adopts the rationale in the staff report.
3. This is a change in permittee of an existing use, and a combination of two existing special permits.
4. There are no exterior changes. There are no substantive changes to any of the development conditions.
5. There will not be any significant impact on anyone.

AND WHEREAS, the Board of Zoning Appeals has reached the following conclusions of law:

THAT the applicant has presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 8-006 and the additional standards for this use as contained in the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED** with the following limitations:

1. This approval is granted to the applicant only, Early Steps Bilingual Preschool Springfield Inc. and Springfield Christian Church, and is not transferable without further action of this Board, is for the location indicated on the application and is not transferable to other land.
2. This special permit is granted for the buildings and uses indicated on the plat submitted with this application, except as qualified below. Any additional

structures of any kind, changes in use, additional uses, or changes in the plans approved by this Board, other than minor engineering details, whether or not these additional uses or changes require a special permit, shall require approval of this Board. It shall be the duty of the Permittee to apply to this Board for such approval. Any changes, other than minor engineering details, without this Board's approval, shall constitute a violation of the conditions of this special permit.

3. A copy of this special permit and the new Non-Residential Use Permit **SHALL BE POSTED** in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the house of operation of the permitted use.
4. This use shall be subject to the provisions of Article 17, Site Plans.
5. The maximum daily hours of operation for the child care/preschool use shall be from 7:30 a.m. until 6:00 p.m., Monday through Friday.
6. There shall be a maximum daily enrollment of ninety-nine (99) children for the child care/preschool use.
7. A "one-way, exit only" sign shall be posted at the northern curb cut.
8. The Transitional Screening 1 requirement shall be modified to retain the existing vegetation. The barrier requirement shall be modified to retain the existing fence.
9. There shall be a maximum of 416 seats in the church sanctuary.
10. The number of parking spaces shall remain unchanged at 127. Handicapped parking spaces shall be provided and labeled in accordance with all applicable Codes. All parking shall be on site.
11. A modification of the transitional screening requirement is approved such that the existing vegetation is adequate on the full adjacent property lines.
12. The height of the steeple shall be no higher than forty (40) feet.
13. The exterior of the building additions shall be similar to the existing church in color, architectural style, and materials and shall be approved by the Department of Environmental Management prior to building permit approval.
14. A Right-of-way of not more than 45 feet from the existing center line of Backlick Road to the extent necessary for planned road improvements shall be dedicated

for public street purposes and shall convey to the Board of Supervisors or VDOT in fee simple upon sixty (60) days notice from these parties.

15. Temporary grading and construction easements shall be provided to facilitate the improvements to Backlick Road.

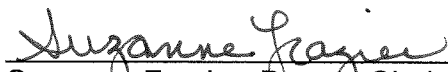
These conditions incorporate and supersede all previous conditions.

This approval, contingent on the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be responsible for obtaining the required Non-Residential Use Permit through established procedures, and this special permit shall not be valid until this has been accomplished.

Pursuant to Sect.8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, six months (6) months after the date of approval unless a new Non-Residential Use Permit (Non-RUP) has been obtained. The Board of Zoning Appeals may grant additional time to obtain a Non-RUP if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. The request must specify the amount of additional time requested, the basis for the amount of time requested, and an explanation of why additional time is required.

Mr. Byers seconded the motion, which carried by a vote of 5-0. Mr. Smith and Mr. Beard were absent from the meeting.

A Copy Teste:

  
Suzanne Frazier, Deputy Clerk  
Board of Zoning Appeals